

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

PD-990304 (H 1168 PA)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on May 3, 2005

Signature

Typed or printed Jo Anne Croskey
nameIn re Application of
Armano MontalvoApplication Number
09/688,609

Filed

October 13, 2000

For System For Secure Communications

Art Unit
2131Examiner
Arezoo SherkatApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

500.00

\$ _____

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0476. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record.
Registration number 50,579

Signature

Jeffrey J. Chapp

Typed or printed name

(248) 223-9500

Telephone number

attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

May 3, 2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

*Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Armano Montalvo

Serial No.: 09/688,609 Group Art Unit: 2131
Filed: October 13, 2000 Examiner: Arezoo Sherkat
For: SYSTEM FOR SECURE COMMUNICATIONS
Attorney Docket No.: PD-990304 (H 1168 PA)

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope with sufficient postage to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on:

May 3, 2005
(Date of Deposit)

Jo Anne Croskey

Jo Anne Croskey
(Signature)

NOTICE OF APPEAL AND PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants are submitting herewith a Notice of Appeal and a petition for a one-month extension of time. Since the final Office Action is dated January 27, 2005, Applicants are submitting the stated one-month extension of time, since the Notice of Appeal is being submitted subsequent to April 27, 2005, and prior to May 27, 2005. However, Applicants submit that the extension of time may not apply since Applicants did not receive the Advisory Action until April 29, 2005. The Examiner informed us that the Advisory Action was mailed on April 14, 2005. Should the extension of time not apply, we respectfully request that the one-month extension of time fee not be charged.

The Commissioner is hereby authorized to charge the required fee and/or credit any overpayment to Deposit Account No. 50-0476.

Respectfully submitted,

ARTZ & ARTZ, P.C.

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Date: May 3, 2005